

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,	:	PROMESA
	:	Title III
as representative of	:	Case No. 17-BK-3283-LTS
THE COMMONWEALTH OF PUERTO RICO <i>et al.</i> ,	:	(Jointly Administered)
	:	
Debtors. ¹	:	

X

PRETRIAL INFORMATIVE MOTION

To the Honorable United States District Court Judge Laura Taylor Swain:

The American Federation of State, County and Municipal Employees International Union, AFL-CIO, for itself and on behalf of its two local chapters, Servidores Públicos Unidos, AFSCME Council 95 and Capítulo de Retirados de SPU and their fourteen affiliated local unions in Puerto Rico (collectively, “AFSCME”), by its undersigned counsel, submits this informative motion in compliance with paragraph 4(a) of the *Order Regarding Procedures for Hearing on Confirmation of Plan of Adjustment* (“Order”) [Docket No. 18502],² and respectfully states as follows:

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the Commonwealth) (Bankruptcy Case No. 17 BK 3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms that are not defined herein have the meanings ascribed to them in the Order.

1. The undersigned counsel, Kenneth Pasquale and Sherry J. Millman, and local counsel Anibal Escanellas-Rivera, will appear on behalf of AFSCME at the Confirmation Hearing.

2. Counsel for AFSCME does not intend to present opening argument but does intend to present a brief closing statement in support of confirmation.

3. AFSCME does not contend that there are disputed material factual issues concerning its claims and AFSCME does not intend to cross-examine any declarant or to present direct or rebuttal testimony at the Confirmation Hearing.

4. Attached as Exhibit A to this Informative Motion is the completed Party Appearance Sheet required pursuant to the Order. Attached as Exhibit B is the completed Party Witness Cover Sheet required pursuant to the Order. Attached as Exhibit C is the completed Party Exhibit Cover Sheet required pursuant to the Order.

[continued on next page]

WHEREFORE, AFSCME respectfully requests that the Court take notice of the foregoing.

Dated: October 27, 2021
New York, New York

By: /s/ Anibal Escanellas-Rivera
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-and-

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Attorneys for AFSCME

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of October, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF System, which will notify all counsel of record of such filing to all CM/ECF participants in this case.

/s/ Kenneth Pasquale

Kenneth Pasquale
Admitted *pro hac vice*

EXHIBIT A
PARTY APPEARANCE SHEET

Name of Party	American Federation of State, County and Municipal Employees International Union, AFL-CIO, for itself and on behalf of its two local chapters, Servidores Públicos Unidos, AFSCME Council 95 and Capítulo de Retirados de SPU and their fourteen affiliated local unions in Puerto Rico
Party Name Abbreviation (For Use with Zoom)	AFSCME
Confirmation Hearing Participant Attorney(s) Representing Party (provide the listed information for each attorney who may appear for the Party): <ul style="list-style-type: none">• Name,• Email,• Law Firm,• Phone Number• Docket Entry No. for the Attorney's Notice of Appearance• Zoom Screen Name (<u>See</u> Confirmation Hearing Procedures Order, 9(a)) AFSCME• Is the attorney participating in the Final Pretrial Conference or the Confirmation Hearing or both? or Party-in-interest Not Represented by Counsel: <ul style="list-style-type: none">• Name, Email, Phone Number, Proof of Claim Number (if any)	Kenneth Pasquale kpasquale@stroock.com Stroock & Stroock & Lavan LLP 212-806-5562 Docket Entry No. 18846 Sherry J. Millman smillman@stroock.com Stroock & Stroock & Lavan LLP 212-806-5434 Docket Entry Nos. 4065; 18846 Anibal Escanellas-Rivera Escanellas & Juan PSC 204 Domenech Avenue San Juan, Puerto Rico 00918 (787) 758-3000 Docket Entry No. 18846 Participation in the Confirmation Hearing, only
Plan Objection Docket Entry No.	N/A
Witness List Docket Entry No.	N/A
Exhibit List Docket Entry No.	N/A

Other Statement Docket Entry No.	N/A
If a Party files a supplemental Party Appearance Sheet, the Party must include the Docket Entry No. of the original appearance sheet in the new filing which must be clearly marked as a "Supplemental" Party Appearance Sheet.	
<p>Note: Pursuant to the Confirmation Hearing Procedures Order ¶ 2, the Financial Oversight and Management Board for Puerto Rico and the Puerto Rico Fiscal Agency and Financial Advisory Authority shall each be limited to 4 attorneys appearing in the Zoom session at any given time, and each other party-in-interest shall be limited to 2 attorneys at any given time. No amicus appearances on Zoom will be permitted for purposes of the Confirmation Hearing.</p> <p>Parties-in-interest not appearing by counsel must have (i) filed a written objection on behalf of him or herself and/or a statement of support in relation to plan confirmation consistent with either (1) <i>Order Establishing Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith</i> and/or (ii) <i>the Confirmation Hearing Procedures Order</i>.</p>	

EXHIBIT B
PARTY WITNESS COVER SHEET

Name of Party		American Federation of State, County and Municipal Employees International Union, AFL-CIO, for itself and on behalf of its two local chapters, Servidores Públicos Unidos, AFSCME Council 95 and Capítulo de Retirados de SPU and their fourteen affiliated local unions in Puerto Rico	
Does the Party intend to offer a witness?		No	
Total Number of Witnesses			
Witness Name	Expert or Fact Witness	Is interpreter required? (Proponent of witness must provide certified interpreter)*	Scope of Testimony

The Court does not provide interpreters for witness testimony.

EXHIBIT C
PARTY EXHIBIT COVER SHEET

Name of Party		American Federation of State, County and Municipal Employees International Union, AFL-CIO, for itself and on behalf of its two local chapters, Servidores P�blicos Unidos, AFSCME Council 95 and Cap�tulo de Retirados de SPU and their fourteen affiliated local unions in Puerto Rico
Does the Party intend to offer evidence?		No
Total Number of Exhibits Offered by the Party		
Exhibit Identifier	Docket Entry No.	Description of Exhibit
*If a Party files a supplemental Exhibit Cover Sheet, the Party must include the Docket Entry No. of the original exhibit cover sheet in the new filing which must be clearly marked as a "Supplemental" Exhibit Cover Sheet filing.		
Pursuant to Bankruptcy Local Rule 9037-1(a), parties and counsel are solely responsible for redacting the personal identifiers enumerated in Fed. R. Bank. P. 9037(a)		